

1-1 By: Staples S.B. No. 443
1-2 (In the Senate - Filed February 10, 2005; February 15, 2005,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 April 11, 2005, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 11, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the regulation of industrialized buildings.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subdivision (2), Section 1202.001, Occupations
1-11 Code, is amended to read as follows:

1-12 (2) "Construction site [~~office~~] building" means a
1-13 commercial structure that is:

1-14 (A) not open to the public; and

1-15 (B) used for any purpose [~~as an office~~] at a
1-16 commercial site by a person constructing a building, road, bridge,
1-17 utility, or other infrastructure or improvement to real property.

1-18 SECTION 2. Subsection (d), Section 1202.003, Occupations
1-19 Code, is amended to read as follows:

1-20 (d) An industrialized building includes a permanent
1-21 commercial structure and a commercial structure designed to be
1-22 transported from one commercial site to another commercial site but
1-23 does not include:

1-24 (1) a commercial structure that exceeds three stories
1-25 or 49 feet in height as measured from the finished grade elevation
1-26 at the building entrance to the peak of the roof; or

1-27 (2) a commercial building or structure that is:

1-28 (A) installed in a manner other than on a
1-29 permanent foundation; and

1-30 (B) either:

1-31 (i) not open to the public; or

1-32 (ii) less than 1,500 square feet in total
1-33 area and used other than as a school or a place of religious
1-34 worship.

1-35 SECTION 3. Section 1202.203, Occupations Code, is amended
1-36 by amending Subsection (b) and adding Subsection (d) to read as
1-37 follows:

1-38 (b) An approved third-party inspector shall perform on-site
1-39 inspections of industrialized housing [~~and buildings~~] to be located
1-40 outside the municipality.

1-41 (d) If required by commission rule, an approved third-party
1-42 inspector shall perform on-site inspections of industrialized
1-43 buildings to be located outside the municipality.

1-44 SECTION 4. Subsection (b), Section 1202.204, Occupations
1-45 Code, is amended to read as follows:

1-46 (b) The commission by rule shall exempt a construction site
1-47 [~~office~~] building from the requirements of this section.

1-48 SECTION 5. Subsection (c), Section 1202.003, Occupations
1-49 Code, is repealed.

1-50 SECTION 6. The changes in law made by this Act apply to any
1-51 building or structure at a commercial site regardless of the date of
1-52 installation of that building or structure.

1-53 SECTION 7. This Act takes effect September 1, 2005.

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